



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Public Safety & Governance

Chairperson, Scotty Johnson
Vice Chairperson, Jan-Michele Kearney
Councilmember Mark Jeffreys
Councilmember Liz Keating

Tuesday, June 28, 2022

9:30 AM

Council Chambers, Room 300

PRESENTATIONS

GRASP Program

G- Growing community awareness and partnerships

R- Responder training

A- Accelerated notification using tracking technology

S- Support for individuals and families

P- Program sustainability

Police Captain, Steve Saunders

Ms. Debbie Serls, GRASP Program Coordinator

Ms. Karen Rumsey, Victim's Advocate Coordinator

CCA Updates

Gabriel Davis, CCA

AGENDA

- [202201407](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 6/15/2022, **MODIFYING** the classification titles for the current employment classification of Sanitarian-in-Training, Sanitarian, Senior Sanitarian, and Supervising Sanitarian by amending existing Sections 456, 457, and 459 of Division 1, and Section 458 of Division D0C, of Chapter 307 of the Cincinnati Municipal Code to establish the new classification titles for these classifications.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

2. [202201410](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 6/15/2022, **MODIFYING** the provisions of Title V, "Traffic Code," of the Cincinnati Municipal Code by **ORDAINING** new Section 501-1-P11, "Person in Control;" **AMENDING** Section 511-31, "Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts," to provide that both the owner of a vehicle and the person in control of the property where an unlicensed or inoperable vehicle is illegally stored are liable for violations; **AMENDING** Section 512-26, "Penalty for Violation of Section 511-31; Impoundment," to clarify the available penalties; and **MODIFYING** Title XV, "Code Compliance and Hearings," of the Cincinnati Municipal Code by **AMENDING** Section 1501-5, "Class B Civil Offenses," to remove the violation of Section 511-31 as a Class B Civil Offense; and **AMENDING** Section 1501-8, "Class C1 Civil Offenses," to include the violation of Section 511-31 as a Class C1 Civil Offense.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

ADJOURNMENT

June 15, 2022

To: Mayor and Members of City Council

From: John P. Curp, Interim City Manager

202201407

Subject: Emergency Ordinance: Revised Sanitarian Classification Series

Attached is an Ordinance captioned:

MODIFYING the classification titles for the current employment classification of Sanitarian-in-Training, Sanitarian, Senior Sanitarian, and Supervising Sanitarian by amending existing Sections 456, 457, and 459 of Division 1, and Section 458 of Division D0C, of Chapter 307 of the Cincinnati Municipal Code to establish the new classification titles for these classifications.

Section 459 of Division 1, Chapter 307 (Sanitarian-in-Training)
Section 456 of Division 1, Chapter 307 (Sanitarian)
Section 457 of Division 1, Chapter 307 (Senior Sanitarian)
Section 458 of Division 0C, Chapter 307 (Supervising Sanitarian)

The Human Resources Director has approved the request for this ordinance to modify the classification titles of the Sanitarian classification series to establish the employment classification series of Environmental Health Specialists. The Department of Human Resources has done its due diligence and conducted appropriate evaluation to ensure that the revised classification titles are consistent with the factors considered throughout the evaluation process including, scope of work and responsibility. The revision of the classification series is necessary to fit the needs of the City, and consistent with the state and organizational changes described herein.

The Administration recommends passage of this Ordinance.

cc: Edward G. Ramsey, Human Resources Director

EMERGENCY

LES

2022

MODIFYING the classification titles for the current employment classification of Sanitarian-in-Training, Sanitarian, Senior Sanitarian, and Supervising Sanitarian by amending existing Sections 456, 457, and 459 of Division 1, and Section 458 of Division D0C, of Chapter 307 of the Cincinnati Municipal Code to establish the new classification titles for these classifications.

WHEREAS, Ohio House Bill No. 442, which was signed by Governor DeWine on January 8, 2021 and effective on April 12, 2021, changed the professional titles of the Sanitarian classifications to Environmental Health Specialist classifications; and

WHEREAS, in order to recruit and retain quality employees and to better serve Cincinnati residents, the City’s Human Resources Department has determined the revision of the Sanitarian classification series is necessary to align with state law requirements; and

WHEREAS, the new Environmental Health Specialist classifications provide opportunities to increase operational efficiencies while maintaining a standard of excellence and a clear pathway for continued growth and career progression for employees; and

WHEREAS, the Department of Human Resources has done its due diligence and conducted appropriate comparisons to ensure that the revised classification titles are consistent with the scope of services and the level of responsibilities of the classification series of Environmental Health Specialists; and

WHEREAS, it has been determined that revising the classification titles for the positions, while maintaining the same salary ranges, is consistent with the organization changes described herein; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Sections 456, 457, and 459 of Division 1, and Section 458 of Division D0C, Chapter 307 of the Cincinnati Municipal Code are hereby amended as shown below:

| Section | Classification |
|----------------|-------------------------------------------------------------------------------|
| 459 | Sanitarian-in-Training Environmental Health Specialist-in-Training |

| | |
|-----|--------------------------------------------------------------------------------------|
| 456 | Sanitarian- <u>Environmental Health Specialist</u> |
| 457 | Senior Sanitarian <u>Senior Environmental Health Specialist</u> |
| 458 | Supervising Sanitarian <u>Supervising Environmental Health Specialist</u> |

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to modify the classification in order to recruit and retain qualified employees.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are struck through. Additions are underlined.

June 15, 2022

202201410

To: Mayor and Members of City Council

From: John Curp, Interim City Manager

Subject: **EMERGENCY ORDINANCE – MODIFYING TITLE V TRAFFIC CODE OF CMC**

Attached is an Emergency Ordinance captioned:

MODIFYING the provisions of Title V, “Traffic Code,” of the Cincinnati Municipal Code by **ORDAINING** new Section 501-1-P11, “Person in Control;” **AMENDING** Section 511-31, “Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts,” to provide that both the owner of a vehicle and the person in control of the property where an unlicensed or inoperable vehicle is illegally stored are liable for violations; **AMENDING** Section 512-26, “Penalty for Violation of Section 511-31; Impoundment,” to clarify the available penalties; and **MODIFYING** Title XV, “ Code Compliance and Hearings,” of the Cincinnati Municipal Code by **AMENDING** Section 1501-5, “Class B Civil Offenses,” to remove the violation of Section 511-31 as a Class B Civil Offense; and **AMENDING** Section 1501-8, “Class C1 Civil Offenses,” to include the violation of Section 511-31 as a Class C1 Civil Offense.

The Administration recommends passage of this Emergency Ordinance.

Cc: Grant Mussman, MD, Interim Health Commissioner

EMERGENCY

CFG

-2022

MODIFYING the provisions of Title V, “Traffic Code,” of the Cincinnati Municipal Code by **ORDAINING** new Section 501-1-P11, “Person in Control”; **AMENDING** Section 511-31, “Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts,” to provide that both the owner of a vehicle and the person in control of the property where an unlicensed or inoperable vehicle is illegally stored are liable for violations; **AMENDING** Section 512-26, “Penalty for Violation of Section 511-31; Impoundment,” to clarify the available penalties; and **MODIFYING** Title XV, “Code Compliance and Hearings,” of the Cincinnati Municipal Code by **AMENDING** Section 1501-5, “Class B Civil Offenses,” to remove the violation of Section 511-31 as a Class B Civil Offense; and **AMENDING** Section 1501-8, “Class C1 Civil Offenses,” to include the violation of Section 511-31 as a Class C1 Civil Offense.

WHEREAS, improper storage of unlicensed or inoperable vehicles has a demonstrable and adverse effect on neighborhood quality of life; and

WHEREAS, the accumulation of unlicensed or inoperable vehicles contributes to conditions favorable to the harboring of vermin, environmental contamination, criminal activity, and other public health and safety concerns; and

WHEREAS, compliance with vehicle storage requirements fosters a safe and healthy community environment and reduces blight; and

WHEREAS, clarifying the availability of both civil and criminal penalties for violations of Section 511-31 will increase the City’s blight abatement capabilities; and

WHEREAS, amending Sections 511-31, 512-26, 1501-8 of the Cincinnati Municipal Code to address the problems created by the improper storage of unlicensed or inoperable vehicles is in the best interest of the health, safety, and welfare of the citizens of Cincinnati; now, therefore,

BE IT **ORDAINED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Section 501-1-P11, “Person in Control,” of Chapter 501 “Definitions,” of the Cincinnati Municipal Code, is hereby ordained as follows:

Sec. 501-1-P11. – Person in Control.

A “person in control” shall mean the owner of the freehold estate of the premises; a mortgagee or vendee in possession; a receiver; an executor; a trustee; and any person, public or private entity, lessee or holder of a lesser estate in the premises, and/or its duly authorized agent(s).

Section 2. That Section 511-31 of the Cincinnati Municipal Code, “Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts,” is hereby amended as follows:

Sec. 511-31. - Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts.

No owner or person in control shall ~~store or park for longer than three days~~ or allow the storage of any unlicensed or inoperable trailer, semi-trailer, or motor vehicle in any residence district or commercial property other than in a garage or in a place not open to view from any other residential or commercial property or any public street or place for longer than three days. For purposes of this section an unlicensed or inoperable trailer, semi-trailer, or motor vehicle draped by a tarpaulin or similar covering is deemed open to view from another residential property, public street, or place unless it is in a garage or other permanent structure. Each day’s violation shall be considered a separate offense.

An “unlicensed” trailer, semi-trailer, or motor vehicle shall mean any vehicle not displaying a current, valid license plate, including any validation sticker, other than a vehicle exempt under Ohio Revised Code Chapter 4503. An “inoperable” trailer, semi-trailer, or motor vehicle shall mean any vehicle missing wheels, tires, windshield, motor, or transmission or which has been so damaged as to appear not safely operable. If any of these indicia of inoperability are observed by a person charged with enforcing this chapter, the trailer, semi-trailer, or motor vehicle shall be presumed inoperable unless and until the owner or person in control demonstrates otherwise. Any vehicle that remains parked at or near the same location for more than 30 consecutive days shall be presumed to be inoperable.

Section 3. That Section 512-26, “Penalty for Violation of Section 511-31; Impoundment,” is hereby amended as follows:

Sec. 512-26. - Penalty for Violation of Section 511-31; Impoundment.

A violation of 511-31 shall constitute a Class C1 Civil Offense. Alternatively, whoever ~~Whoever~~ violates any provision of Section 511-31 shall be guilty of a minor misdemeanor on a first offense; if the offender has been previously convicted within the past year of violating Section 511-31, the offender shall be guilty of a misdemeanor of the fourth degree; if the offender has been twice previously convicted within the past two years of violating Section 511-31, the offender shall be guilty of a misdemeanor of the first degree and shall be fined not less than \$500 and imprisoned not less than 30 days. Such minimum fine and term of imprisonment may be reduced or waived only upon a finding of the court that such reduction or waiver is required by the interest of justice.

Upon a finding of guilt, the court may order the owner of any vehicles stored or parked in violation of Section 511-31 to remove all such vehicles to a place where they may be lawfully stored or parked, or the court may order all such vehicles impounded and direct the police to cause them to be towed.

Section 4. That Section 1501-5, “Class B Civil Offenses,” is hereby amended as follows:

Sec. 1501-5. – Class B Civil Offenses.

A person who violates a standard of conduct set forth in a provision of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class B Civil Offense. If the provision is listed under paragraph (a) below, the otherwise applicable civil fine is reduced by 50% if the person charged shows in accordance with § 1501-15 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in § 1501-99 and is not subject to reduction for correction of the violation.

(a) Class B Civil Offenses With Civil Fines Subject to 50% Reduction for Correction of Violation:

| | | | Civil Fine for Subsequent Offense |
|---------------------|--------------------|-------------------------------------------|-----------------------------------|
| (1) | §511-31 | Storage of Unlicensed Vehicles | Class B |
| (2) (1) | §720-15 | Public [Stormwater] Facilities | Class C |
| (3) (2) | §720-29 | [Stormwater] Permits and Plan Review | Class B |
| (4) (3) | §721-83 | Street Contractor’s License | Class C |
| (5) (4) | §723-3 | Unauthorized Wires, etc., in Streets | Class C |
| (6) (5) | §1219-3 | Material Subject to Spontaneous Ignition | Class B |
| (7) (6) | §1219-7 | Baled Material | Class B |
| (8) (7) | §1219-9 | Combustible Containers | Class B |
| (9) (8) | §1219-15 | Fire Doors, Shutters and Windows | Class B |
| (10) (9) | §1219-29 | Drip Pans | Class B |

| | | | |
|----------------------|--------------|------------------------------------------|---------|
| (11) (10) | §1219-41 | Exhaust Fans | Class B |
| (12) (11) | §1219-45 | Gas Shutoff Valves | Class B |
| (13) (12) | Chapter 1225 | Smoking and the Use of Open Flame | Class B |
| (14) (13) | §1231-11 | Obstructing Fire Hydrants | Class B |
| (15) (14) | §718-9 | Advertising in the Public Right-of-Way | Class C |
| (16) (15) | Chapter 765 | Special Event Permits | Class B |
| (17) (16) | §1601-7 | Early Fire Warning System | Class C |
| (18) (17) | §1127-07.99 | Rental Property Inspection Pilot Program | Class C |

(b) Class B Civil Offenses With Civil Fines Not Subject to 50% Reduction for Correction of Violation:

| | | | Civil Fine for Subsequent Offense |
|-----|---------|------------------------------------------------|-----------------------------------|
| (1) | §413-25 | Sidewalk or Street Parking | Class C |
| (2) | §503-25 | Damaging Street Surface | Class C |
| (3) | §506-63 | Driving on Sidewalk Area | Class C |
| (4) | §506-64 | Driving Over New Pavement | Class C |
| (5) | §721-25 | Sale of Land on Private or Undedicated Streets | Class D |
| (6) | §721-41 | Street Opening Without Permit Unlawful | Class D |
| (7) | §721-61 | Warning Lights; Barriers | Class D |

| | | | |
|------|---------------|----------------------------------------------------------------------------|---------|
| (8) | §721-109 | Sidewalk Covering Over Sub-space; Prohibited Materials | Class D |
| (9) | §721-111 | Support for Sidewalk Covering Over Sub-space | Class D |
| (10) | §723-1 | Street Obstructions | Class C |
| (11) | §723-33 | Sweeping Onto Sidewalk or Roadway | Class C |
| (12) | §729-5 | Waste Containers; Requirements | Class D |
| (13) | §729-9 | Setting Out Containers on Property Abutting Alleys | Class B |
| (14) | §729-27 | Removal of Dead Animals | Class B |
| (15) | §729-41 | Disposal of Combustible Garbage | Class B |
| (16) | §729-53 | Transporting Putrescible Commercial By-Products | Class B |
| (17) | §729-60 | Commercial Establishments to Maintain Commercial Waste Collection Contract | Class C |
| (18) | §729-69 | Unloading Waste on Sidewalks | Class B |
| (19) | §729-71(c)(1) | Personal Property Left Abandoned on Streets and Sidewalks-3 or fewer items | Class B |
| (20) | §729-75 | Escaping Hot Water or Steam | Class B |
| (21) | §1219-5 | Accumulated Waste and Waste Receptacles | Class B |

| | | | |
|------|----------|---------------------------------|---------|
| (22) | §1219-13 | Trap Doors | Class B |
| (23) | §1221-7 | Smoking and Use of Open Flame | |
| (24) | §1601-57 | Enforcement of Emergency Orders | Class B |
| (25) | §1601-59 | Enforcement of Health Orders | Class B |

Section 5. That Section 1501-8, “Class C1 Civil Offenses,” is hereby amended as follows:

Sec. 1501-8. – Class C1 Civil Offenses.

A person who violates a standard of conduct set forth in a provision of the Cincinnati Municipal Code listed below is liable for the civil fine specified in Section 1501-99 for a Class C1 Civil Offense. If the provision is listed under paragraph (a) below, the otherwise applicable civil fine is reduced by 50% if the person charged shows in accordance with Section 1501-15 that the violation has been corrected. Except that, for occupied property that is in violation of Section 731-3(a), the otherwise applicable civil fine is reduced by 100% if the owner charged shows in accordance with Section 1501-15 that the violation has been corrected and that the owner has not previously received notice of a violation under Section 731-3 at the occupied property. If the provision is listed under paragraphs (a), (b), or (c) below, and if a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in Section 1501-99 and is not subject to reduction for correction of the violation. If the provision is listed under paragraph (d) below, and if a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within two years, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in Section 1501-99 and is not subject to reduction for correction of the violation. If the provision is listed under paragraph (e) below, the otherwise applicable civil fine is reduced by 100% if the person charged shows in accordance with Section 1501-15 and the rules and regulations of the board of health that the violation has been corrected and that the owner has not previously received notice of a violation under Section 609-9. If the provision is listed under paragraph (e) below, and if a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within two years, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in Section 1501-99 and is not subject to reduction for correction of the violation.

(a) Class C1 Civil Offenses With Civil Fines Subject to 50% Reduction for Correction of Violation:

| | | | Civil Fine for Subsequent Offense |
|-----|-------------|------------------------------------------------------------------------------------------|-----------------------------------|
| (1) | § 714-11 | Duty to Keep Sidewalks Free of Litter | Class D |
| (2) | § 714-35 | Litter on Occupied or Unoccupied Private Property | Class C1 |
| (3) | § 714-37 | Owner or Person in Control to Maintain Premises Free of Litter | Class C1 |
| (4) | § 714-39 | Litter on Vacant Lots | Class C1 |
| (5) | § 731-3 | Height Restrictions on Unoccupied Private Property (grass and weed control) | Class C1 |
| (6) | Chapter 313 | Outdoor Advertising Sign Excise Tax | Class C1 |
| (7) | Chapter 315 | Short Term Rental Excise Tax | Class C1 |
| (8) | Chapter 886 | Equitable Restrooms (eff. January 1, 2022) | Class C1 |
| (9) | § 511-31 | <u>Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts</u> | <u>Class C1</u> |

(b) Class C1 Civil Offenses With Civil Fines Subject to 100% Reduction for Correction of Violation and a One-Year Period for a Subsequent Offense:

| | | | Civil Fine for Subsequent Offense |
|-----|---------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| (1) | § 731-3 | Height Restrictions on Occupied Private Property (grass and weed control; reduction for first-time offenders only) | Class C1 |

(c) Class C1 Civil Offenses With Civil Fines Not Subject to 50% Reduction for Correction of Violation and a One-Year Period for a Subsequent Offense:

| | | | Civil Fine for Subsequent Offense |
|-----|--------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------|
| (1) | § 714-15 | Truck and Vehicle Loads Causing Litter or Scattering Debris | Class D |
| (2) | § 119-3(a) § 119-3(b) | Acceptance or Retention of a Contribution from a Person Qualifying for the Temporary Prohibition List | Class C-1 |
| (3) | § 119-7(a) | Failure to Report Financially Interested Persons | Class C-1 |

(d) Class C1 Civil Offenses With Civil Fines Not Subject to 50% Reduction for Correction of Violation, and a Two-Year Period for a Subsequent Offense:

| | | | Civil Fine for Subsequent Offense |
|--|--|--|-----------------------------------|
| | | | |

| | | | |
|-----|-----------|----------------------------------------------------------------------------|---------|
| (1) | § 609-3 | Sale of Tobacco Products to Those Under Twenty-One Years of Age Prohibited | Class E |
| (2) | § 1601-57 | Enforcement of Emergency Orders | Class D |
| (3) | § 1601-59 | Enforcement of Health Orders | Class D |

(e) Class C1 Civil Offenses With Civil Fines Subject to 100% Reduction for Correction of Violation, and a Two-Year Period for a Subsequent Offense:

| | | | |
|-----|---------|----------------------------------------------------------------------|-----------------------------------|
| | | | Civil Fine for Subsequent Offense |
| (1) | § 609-9 | Tobacco Retailer Licensing (reduction for first-time offenders only) | Class E |

Section 5. That existing Section 511-31, “Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts,” Section 512-26, “Penalty for Violation of Section 511-31; Impoundment,” Section 1501-5, “Class B Civil Offenses,” and Section 1501-8, “Class C1 Civil Offenses,” of the Cincinnati Municipal Code are hereby repealed.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to address an anticipated increase in violations during the summer months.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Additions underlined. Deletions stricken through.